THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8349 of 2007

Date: 20.04.2007

Between:

Y.Sreenivasulu Reddy.

....Petitioner

And

Government of Andhra Pradesh, rep. by its Principal Secretary, Department of Environment, Forests, Science & Technology (FOR.III) Secretariat Building, Hyderabad and others.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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O R D E R:

The petitioner challenges the orders issued by the first respondent in G.O.Rt.No.106, Environment, Forests, Science & Technology (FOR.III) Department, dated 02.03.2007.

The subject matter of the writ petition is sale and disposal of red sander wood by the Government, in accordance with the procedure prescribed for that purpose. The Principal Chief Conservator of Forests, second respondent herein, invited tenders, through his notice, dated 15.10.2005, for disposal of value added product and the round wood log form of red sander. Several participants submitted their tenders. Respondents 4 and 5 were two such tenderers, for a quantity of 1240.12 Metric Tonnes. Their bid was found to be the highest.

Since the matter involved granting of export permits,

the State Government addressed letters to the Government of India. However, while granting permits, the Government of India directed that the 4th respondent be allotted a quantity of 556.80 Metric Tonnes and the 5th respondent, 328.33 Metric Tonnes. An Agency, by name M/s.Synthite Industrial Chemicals Limited, Ernakulam, was allotted 354.98 Metric Tonnes, though the State Government did not recommend for that.

In view of the fact that the quantity, for which they have submitted the tenders, was not available to them, respondents 4 and 5 made representations to the State Government, to make good the deficit quantity. Through the impugned G.O., the first respondent allotted the same quantity i.e. 354.98 Metric Tonnes at the rate of Rs.1,50,000/- per Metric Tonne for 'A' and 'B' Grade material and Rs.1,17,000/- per Metric Tonne for 'C' Grade material.

Learned counsel for the petitioner submits that respondents 1 and 2 deviated from the procedure prescribed in allotting the quantity, referred to above, in favour of respondents 4 and 5.

Learned Government Pleader for Forests and the learned Standing Counsel for the respondents, on the

other hand, submit that the material that is sought to be allotted to respondents 3 and 4, through the impugned G.O., was already covered by their bids and in fact, not a tonne of red sander, over and above what was allotted to the petitioner, in pursuance of the bids, is being made over to them.

The impugned G.O. itself furnishes the entire background for the present allotment. It is a matter of record that the tender of respondents 4 and 5 was for 1410.12 Metric Tonnes and they emerged as the successful tenderers. It was only at the stage of granting export permits, that the Government of India had reduced the quantities. It is not as if respondents 1 and 2 have allotted or sold any quantity of red sander, by undertaking private negotiations or without calling for tenders. At any rate, the petitioner did not submit his tender in response to the notification, dated 15.10.2005. Therefore, he cannot be said to have suffered any grievance.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

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20.04.2007

JSU